



MINUTEMAN INFORMER



JANUARY – MARCH 2002

IN THIS ISSUE :

<u>ARTICLE</u>	<u>PAGE</u>
HRO Office Numbers	1
Equal Employment Opportunity	2-8
Employee Development	9
Classification	10
Personnel	11
Labor Relations	12

HUMAN RESOURCE OFFICE

Director	COL Kenneth D. Hislop	562-0852
Admin Spt Asst	SPC Nellisha McLeary	562-0851
Labor Relations Officer	CW2 Mickey McGuire	562-0857
State EEO Manager	MAJ Evelyn Torres	562-0856
EEO Specialist	MSgt Kathey McCready	562-0854
MSS Manager	LTC Shawn Keys	562-0882
AGR Staffing Specialist	Sharon Marrazzo	562-0860
Senior Personnel NCO	MSG Daniel Balderose	562-0863
Personnel Technician		562-0861
Health System Specialist	MSgt Anthony DeLuccio	562-0858
Personnel Mgt Specialist	SSG Joyce Locklear	562-0878
Personnel Mgt Specialist	Lorraine Hannibal - Jamison	562-0877
Personnel Services Mgr	LTC Mark Tucci	562-0853
Employee Relations Spec	SMSgt Kathy Christian	562-0881
Classification Specialist	CPT Bruce Protesto	562-0873
Classification Assistant	SSgt Diane Hess	562-0889
Employee Develop Spec	1LT Devon Hanson	562-0874
Personnel Assistant		562-0865
Personnel Assistant		562-0864
Staffing Specialist	CW2 Michele Thomas	562-0872
Staffing Assistant	Colleen Joseph	562-0871
Personnel Assistant	SPC Vanessa Platt	562-0867
Personnel Assistant	PFC Elizabeth Obuobisa	562-0866
Personnel Assistant	SGT Michael Cantwell III	562-0887

Standard Day Off CY2002

January 7	April 1	July 8	October 14
January 21	April 15	July 22	October 28
	April 29		
February 4	May 13	August 5	November 11
February 18	May 27	August 19	November 25
March 4	June 10	September 2	December 9
March 18	June 24	September 16	December 23
		September 30	

2002 FEDERAL HOLIDAYS

DATE	HOLIDAY	DATE	HOLIDAY
01 JAN 02	NEW YEARS DAY	03 SEP 02	LABOR DAY
22 JAN 02	MARTIN LUTHUR KING'S BIRTHDAY	15 OCT 02	COLUMBUS DAY
19 FEB 02	PRESIDENTS DAY	12 NOV 02	VETERAN'S DAY
28 MAY 02	MEMORIAL DAY	28 NOV 02	THANKSGIVING DAY
04 JUL 02	INDEPENDENCE DAY	25 DEC 02	CHRISTMAS DAY

EQUAL EMPLOYMENT OPPORTUNITY EVENTS

By MAJ Evelyn Torres, 562-0856

Equal Opportunity special/ethnic observances are conducted to enhance cross-cultural awareness among all soldiers, civilian employees and their families. These observances recognize the achievements and contributions made by members of specific racial, ethnic, or gender groups in our society. The observances should also promote understanding, teamwork, harmony, pride and esprit among all groups, not just within the specific group being honored.

Events 2002:

Jan 21	Martin Luther King Jr. Observance – Theme: “A Day On...Not a Day Off, Remember! Celebrate! Act!”
Feb 1-28	Black History Month Observance Theme: “The African-American Legacy: Contributions and Service in America’s Defense”
Mar 1-31	Women History Month Observance Theme: “Women Sustaining the American Spirit”
Mar 17	St Patrick’s Day
April	“Days of Remembrance” for victims of the Holocaust Observance
May 1-31	Asian Pacific Heritage Month Observance
May 5	Cinco de Mayo
May 26–2 Jun	IMAGE Conference – Las Vegas, Nevada
July 6-11	NAACP Conference –
July 22-26	Federal Women Conference, Orlando, Florida
Aug 26	Woman Equality Day
Sep 15–Oct 15	National Hispanic Heritage Month Observance
Oct 1-31	National Disability Awareness Month
Nov 1-31	Native American Heritage Month Observance

NOTE: Nominations for the IMAGE and NAACP Awards are due 3 March 2002 to HRO – EEO. Requirements will also be posted in the server under Public Folder - HRO-EEO.

EQUAL EMPLOYMENT OPPORTUNITY (cont.)

National Association for the Advancement of Colored People Annual Convention (NAACP)

Dates: Normally a weeklong convention held in **July**. An Armed Forces and Veterans Affairs dinner is held on one day during that week. Specific dates are published, as they become available.

Purpose: The largest annual gathering of civil rights organizations in the country which has served, historically, as a forum for discussing many of the key civil and human rights issues. NGB also conducts specific seminars for Black Employment Program Managers.

Attendees: State Adjutant's General, Assistant Adjutant's General, Equal Employment Managers, and Black Employment Managers are encouraged by NGB to attend.

Awards: The Roy Wilkins Renown Service Award is presented to American military personnel in uniform who have distinguished themselves by contributing to military equal opportunity policies and programs. An award is presented to an Officer and Enlisted member of each service.

Eligibility: Current military members of the NJNG.

Nominations: Nominations are made through the Chain of Command to HRO-EEO.

A selecting committee then evaluates nominees normally

Chaired by the Deputy Adjutant General.

Suspense: **NLT 3 March** of each year in order to adequately review, select, and Submit NJNG nominees to the National Guard Bureau.

Criteria:

(1) **Nominations** should be based on:

- (a) Promotes the tenets of civil/human rights, race relations, equal opportunity, affirmative action, Human relations and public service programs.
- (b) Supports and contributes to the civil rights movement
- (c) Endorses the full integration and promotion of minorities and women within the Armed Forces
- (d) Promotes a positive understanding of the Armed Forces among and between minority and non-minority members of the military and civilian population
- (e) Fosters an innovative and creative environment between the military and civilian community of all races and ethnic backgrounds that benefits the employees and/or residents
- (f) Promotes programs and activities that advocate equal opportunity based on individual merit or all employees within the federal workplace
- (g) Displays exceptional qualities that distinguish the individual as an outstanding leader
- (h) Believes in and practices the tenets of the United States Constitution and democratic society that all persons are created equal and that freedom is a God-given right that must be protected vigilantly at all times

(2) Nominations will include:

- (a) Biography of no more than one (1) page, double spaced.
- (b) Narrative of no more than two (2) pages, double spaced.
- (c) Official military 8" X 10" head and shoulder photograph (Class A/Service dress).
- (d) Three (3) paragraph synopsis of the nomination write up for program booklet

National Image Incorporated Annual Training Conference and Convention

Dates: Normally a weeklong held in **May**. **This year it will be held on May 26 to 2 June 2002, in Las Vegas, Nevada.** Historically, National Image Inc. honors military members with the presentation of its "Meritorious Service Award" at a formal dinner. Specific dates are published as they become available.

Purpose: The only national forum designed specifically to address the issues and concerns of Hispanic Americans in government service. NGB also conducts specific seminars for Hispanic Employment Program Managers.

Attendees: National Guard personnel involved in policies related to the employment and advancement of Hispanic Americans, such as: Personnel specialists, HR/EO and Social Actions staff, Equal Employment Managers, and Hispanic Employment Program Managers.

Awards: The Meritorious Service Award is presented to military personnel who have distinguished themselves by contributing to military equal opportunity policies and programs. An award is presented to an Officer and Enlisted member of each service.

Eligibility: Current military members of the NJNG.

Nominations: Nominations are made through the Chain of Command to HRO-EEO. Nominees are then evaluated by a selecting committee normally chaired by the Deputy Adjutant General.

Suspense: **NLT 8 Mar** of each year in order to adequately review, select, and submit NJNG nominees to the National Guard Bureau.

Criteria:

(1) Nominations should be based on:

- (a) Promotes the tenets of civil/human rights, race relations, equal opportunity, affirmative action, human relations and public service programs.
- (b) supports and contributes to the civil rights movement
- (c) endorses the full integration and promotion of minorities and women within the Armed Forces
- (d) promotes a positive understanding of the Armed Forces among and between minority and non-minority members of the military and civilian population
- (e) fosters an innovative and creative environment between the military and civilian community of all races and ethnic backgrounds that benefits the employees and/or residents
- (f) promotes programs and activities that advocate equal opportunity based on individual merit or all employees within the federal workplace
- (g) displays exceptional qualities that distinguish the individual as an outstanding leader
- (h) Believes in and practices the tenets of the United States Constitution and democratic society that all persons are created equal and that freedom is a God-given right that must be protected vigilantly at all times

(2) Nominations will include:

- (a) Narrative of no more than two (2) pages, double-spaced.
- (b) Biography of no more than one (1) page, double-spaced.
- (c) Official military 8" X 10" head and shoulder photograph. (Class A/Service dress)

EQUAL EMPLOYMENT OPPORTUNITY (cont.)

Questions and Answers about Sexual Harassment

- 1. What is Sexual Harassment?** Sexual harassment is a form of sex discrimination, which is a violation of Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission's (EEOC) guidelines define two types of Sexual Harassment: "quid pro quo" and hostile environment."
- 2. What is "Quid Pro Quo" Sexual Harassment?** Latin terms "This for that". Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "quid pro quo" sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- 3. What is "Hostile Environment" Sexual Harassment?** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute "hostile environment" sexual harassment when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- 4. What factors determine whether an environment is "Hostile?"** The central inquiry is whether the conduct "unreasonably interfered with an individual's work performance" or created "an intimidating, hostile, or offensive working environment." The EEOC will look at the following factors to determine whether an environment is hostile: (1) whether the conduct was verbal or physical or both; (2) how frequently it was repeated; (3) whether the conduct was hostile or patently offensive; (4) whether the alleged harasser was a co worker or supervisor; (5) whether others joined in perpetrating the harassment; and (6) whether the harassment was directed at more than one individual. No one factor controls. An assessment is made based upon the totality of the circumstances.
- 5. What is unwelcome sexual conduct?** Sexual conduct becomes unlawful only when it is unwelcome. The challenged conduct must be unwelcome in the sense that the employees did not solicit or incite it, and in the sense that the employee regarded the conduct as undesirable or offensive.
- 6. How will the EEOC determine whether conduct is unwelcome?** When confronted with conflicting evidence as to whether conduct was welcome, the EEOC will look at the record as a whole and at the totality of the circumstances, evaluating each situation on a case by case basis. The investigation should determine whether the victim's conduct was consistent, with hi/her assertion that sexual conduct was unwelcome.
- 7. Can one incident constitute sexual harassment?** It depends. In "quid pro quo" cases, a single sexual advance may constitute harassment if it is linked to the granting or denial of employment or employment benefits. In contrast, unless the conduct is quite severe, a single incident or isolated incidents of offensive sexual conduct or remarks generally do not create a "hostile environment." A hostile environment claim usually requires a showing of a pattern of offensive conduct. However, a single, usually harassment, the less need to show a repetitive series of incidents. This is particularly true when the harassment is physical. For example, the EEOC will presume that the unwelcome, intentional touching of a charging party's intimate body areas is sufficiently offensive to alter the condition of his/her working environment and constitute a "hostile environment."

EQUAL EMPLOYMENT OPPORTUNITY (cont.)

Severe incident of harassment may be sufficient to constitute a Title VII violation.

8. Can verbal remarks constitute sexual harassment? Yes, The EEOC will evaluate the totality of the circumstances to ascertain the nature, frequency, context, and intended target of the remarks. Relevant factors may include (1) whether the remarks were hostile and derogatory; (2) whether the alleged harasser singled out the charging party; (3) whether the charging party participated in the exchange; and (4) the relationship between the charging party and the alleged harasser.

9. What should a sexual harassment victim do? The victim should directly inform the harasser that the conduct is unwelcome and must stop. It is important for the victim to communicate that the conduct is unwelcome, particularly when the alleged harasser may have some reason to believe that the advance may be welcomed. However, a victim of harassment need not always confront his/her harasser directly, so long as his/her conduct demonstrates that the harasser's behavior is unwelcome. May contact an EEO counselor or the State Equal Employment Manager at 609-562-0856.

10. Could the complainant request disciplinary or adverse personnel actions as a remedy? No, disciplinary action is not a remedy that may be personally demanded by a complainant. It is therefore, not an issue for discussion in a hearing or inquiry and is not specified in a final decision or the settlement of a complaint. Discipline or adverse action against technician personnel is taken in accordance with TPR 752.

EQUAL EMPLOYMENT OPPORTUNITY (cont.)



Historical Perspectives

Why We Honor Dr. Martin Luther King, Jr.

Each year a fundamental question arises. Young people especially want to know, "Why do we honor Dr. Martin Luther King, Jr.?" The following is a brief analysis, which can be duplicated and shared with schools, churches, organizations and the media.

Early in our country's history, almost all black people came here as slaves. Because people in the South felt they needed cheap labor in building the land and because black people in Africa knew how to farm land like that in the South, they were taken from their homes and forced to come to America. Upon arriving in this country, they were sold to whites as slaves without rights or freedoms.

In 1776, the American Colonies declared their freedom from Great Britain. In the Declaration of Independence, Thomas Jefferson wrote "all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness." That is, Jefferson declared that all citizens have the rights to be free from oppression and have equal opportunities in pursuing their goals. These ideals have been called the American Dream.

To best achieve these ideals, the people of the United States developed their government along democratic principles in which the people choose who will lead them and decide which laws should guide them. The Constitution is a document that tells how leaders are to be chosen and how laws are to be made. The laws can be changed, usually when a majority votes to do so.

However, in the new government, slaves were not given the same rights as white people. They were not given the opportunity to choose their leaders, start businesses, own homes or go to school. Slaves were not allowed to lead their lives in the ways they wanted. Yet, there were many people, mostly people in the North, who wanted the slaves to be free, but there was not a majority of the people in the country who felt that way. Some states in the North had outlawed slavery, but most blacks in the South remained slaves. Free blacks in the North had more rights than slaves, but they still did not have as many rights as white people.

Freeing the slaves was a large issue in the Civil War. After that war, the slaves were finally given their freedom through amendments to the Constitution. The Thirteenth Amendment outlawed slavery in the United States, the Fourteenth Amendment gave blacks citizenship and the Fifteenth Amendment gave them the right to vote. Blacks became free citizens of the United States, but many whites were not happy with this change. They felt that blacks should not be treated as citizens equal to whites. They passes laws to keep whites and blacks apart. In 1896, the Supreme

Court decided that the "separate but equal" facilities legalized in the South did not violate the 14th Amendment. Thus, blacks could not work with whites, live in the same neighborhoods or send their children to the same schools as whites. Even so, black people throughout the nation contributed to the betterment of the country.

EQUAL EMPLOYMENT OPPORTUNITY (cont.)

Efforts to give black people their rights never stopped, but the changes were not enough. After World War II, many more people felt that new laws were needed. In 1954, the Supreme Court ruled that blacks and whites could go to the same schools, saying that "separate but equal" schools were inherently unequal. However, many people still did not want to change. It took a strong leader, a person who believed in peace and justice, to win more freedom for black Americans. Martin Luther King, Jr. was that man.

Between 1955 and 1968, Martin Luther King, Jr. helped change America. He brought to the world's attention how unfairly blacks were treated. He had the help of millions of Americans, but his strong leadership and unprecedented power of speech gave people the faith and courage to keep working peacefully even when others did not. This led to new laws that ended the practice of keeping people of different backgrounds apart, making life fairer for everyone.

America will always remember the work of Martin Luther King, Jr. Each year, on the third Monday in January, we celebrate his birthday. This is the first national holiday to honor an individual black American. The legacy of Dr. King lives in each of us and we are responsible to promote, teach and live the American Dream.



EMPLOYEE DEVELOPMENT

By 1LT Devon Hanson, 562-0874

January 2002

Happy New Year Everyone

Last year was a busy year in terms of training. Everyone who had legitimate training requests was approved. This year is starting off in the same way. One-third of the training budget on the Army side has already been spent and it doesn't seem like it's slowing down, which is good.

The Professional Education Center in Arkansas has a large selection of training that can benefit the full time support personnel. A few courses in particular are: **Training Officer/NCO Course, Officer in Charge, OMS Basic Course, Unit Supply NCO, and Senior OMS/UTES Supervisor**. Supervisors should be taking advantage of these courses and none of them are. If you are an Army supervisor and you have not attended these courses please submit your paper work and go through the proper office to be registered through the Army Training Requirement and Resources System (ATRRS).

Some on-site upcoming courses for this year for Supervisors are:

Basic Supervisors Course

EEO for Managers

Labor Relations for Managers

Please feel free to e-mail, memo, or call me for any training request that you or your people may need. Some training to keep in mind for your people as a whole are: **Stress Management, How to Deal With Difficult People, Professionalism in the Workplace, and Violence in the Workplace.**

Just a reminder:

1. When requesting training please submit information on the training course you are applying for along with the DD Form 1556.
2. A supervisor must sign the DD FORM 1556.
3. Copy three and nine of the evaluation sheet must be completed by the trainee within two weeks of the course termination; the trainee's supervisor will complete the supervisor's portion within three weeks and returned to HRO/EDS.
4. Certificate of Training should be submitted to HRO/EDS.
5. All 108th ARW personnel requesting orders for a training course must send a copy of the request to the HRO/EDS along with the DD Form 1556.

If you have any questions or are unsure of training issues please give me a call, 1LT Hanson, at 609-562-0874, DSN 944-0874.



PERSONNEL CLASSIFICATION SPECIALIST

By CPT Bruce Protesto, 562-0873

“A CLASSIFIER’S FAIRY TALE”

Once upon a time the government had vast scrap yard in the middle of a desert. Congress was afraid that someone might steal from it at night, so they created a night watchman, GS-4, position and hired a person for the job.

Then Congress said, “How does the watchman do his job without instruction?” So they created a planning position and hired two (2) people, one person to write the instructions, GS-12, and one person to do time studies, GS-11.

Then Congress said “How will we know the night watchman is doing the tasks correctly?” So they created a Q. C. position and hired two (2) people, one GS-9 to do the studies and one GS-11 to write the reports.

Then Congress said, “How are these people going to get paid?” So they created the following positions: a Timekeeper, GS-09, and a Payroll Officer, GS-11; and hired two (2) people.

Then Congress said, “Who will be accountable for all of these people?” So they created an administrative Officer, GM-13; Assistant Administrative Officer, GS-12; and a Legal Secretary, GS-08.

Then Congress said, “We have had this command in operation for one year and we are \$18,000 over budget, we must cut back overall cost”, so they laid off the night watchman.



PERSONNEL SERGEANT

By MSG Danny Balderose, 562-0863



All AGR Personnel

As of 01 January 2002 LES's for AGR Personnel will no longer be distributed. AGR Soldiers can access their LES's by using the following website.

<https://emss.dfas.mil>

However, AGR soldiers do have the capability to access their account telephonically using 1-877-363-3677. If you encounter any complications printing your LES contact Bonnie Cunningham at the USPFO, 609-562-0244. She will be able to provide you with your LES.



BRANCH CHIEF

Personnel Services

By LTC Shawn Keyes, 562-0882

I started here as the AGR manager officially 1 September 2001. I replaced an excellent officer in LTC John Curl. No one will realize how hard his shoes are to fill. The field will miss him as much as I do. Thank you John for all your hard work and dedication.

Since coming here, I have tried to make this office "Customer" oriented. I will try to make all your changes and vacancy hires as painless as possible. This means that if you have a plan try to make sure we in the office understand what you want to do. We will try to do everything you want. You are our customers!

You must understand that the HRO is responsible for AGR Readiness. This includes, but not limited to MOSQ, physicals, HIV, pantographs, height and weight, and lastly ensuring you have a family care plan. Obviously we can't do it all, your supervisors and yourselves play an important part in it. In the near future we will be looking at all these issues and informing the AOs. Help us to help you, start improving your readiness today.

LABOR RELATIONS

By CW2 Mickey McGuire, 562-0857

Annual Notification of Employee's Right to Union Representation {Weingarten Rights}

HRO-LRS

January 2002

MEMORANDUM FOR All NJDMAVA Technician Personnel

SUBJECT: Annual Notice of Bargaining Unit Employee's Right to Union Representation, When Requested, During Meetings with Agency Representatives.

1. The Civil Service Reform Act gives Federal Technicians in units represented by an exclusive labor organization the right to have a union representative present at a meeting, which involves an examination by a representative of the agency in connection with an investigation. Section 7114(a) of the CSRA of 1978 states that:

a. An exclusive representative of an appropriate unit in an agency shall be given an opportunity to be represented at:

b. Any examination of an employee in the unit by a representative of the agency in connection with an investigation if-

(i) The employee reasonably believes that the examination may result in disciplinary action against the employee; and

(ii) The employee requests representation.

2. As required by Title 5 USC, Chapter 71, Section 7114(a)(3), this memorandum constitutes notice of the right set forth in this provision.

MICKEY R. McGUIRE
CW2, NJARNG
Labor Relations Specialist